

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Independent claim 1 has been amended to recite a vehicle comprising a continuous stepless transmission, a speed change operation section that switches a speed change ratio of the continuous stepless transmission, and a shift-mode-switching section that switches a mode of speed change ratio switching by the speed changer operation section between a first mode in which the speed change ratio is switched by the speed change operation section in stages among a plurality of preset speed change ratios and a second mode in which the speed change ratio is switched by the speed change operation section continuously or substantially continuously. In addition, claim 1 has been amended to recite a controlling section that performs a speed changing operation of the continuous stepless transmission at least based on a speed change operation signal indicating an operating state of the speed change operation section and a mode signal indicating the mode in which the shift-mode-switching section is operating.

Still further, claims 2-4 have been canceled, without prejudice, and new claims 5-9 have been added. New independent claim 5 recites similar features to amended independent claim 1

except that according to new independent claim 5, in the second mode into which the shift-mode-switching section switches, the speed change ratio is switched by the speed change operation section in fractional stages that are more fractionally set in advance than the first mode. New claims 6-9, moreover, all depend directly or indirectly from new independent claim 5 and recite additional features of this embodiment of the invention.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

THE PRIOR ART REJECTION

Claims 1, 3 and 4 were rejected under 35 USC 102 as being anticipated by US 2002/0027031 ("Miyata"), and claim 2 was rejected under 35 USC 103 as being obvious in view of the combination of Miyata and USP 7,037,236 ("Ishibashi et al"). These rejections, however, are respectfully traversed with respect to the claims amended hereinabove.

The present invention as recited in amended independent claim 1 is directed to a vehicle comprising a continuous stepless transmission, a speed change operation section that switches a speed change ratio of the continuous stepless transmission, and a shift-mode-switching section that switches a mode of speed change ratio switching by the speed change operation section between a

first mode in which the speed change ratio is switched by the speed change operation section in stages among a plurality of preset speed change ratios and a second mode in which the speed change ratio is switched by the speed change operation section continuously or substantially continuously. As recited in amended independent claim 1, a controlling section performs a speed changing operation of the continuous stepless transmission at least based on a speed change operation signal indicating an operating state of the speed change operation section and a mode signal indicating the mode in which the shift-mode-switching section is operating.

With this structure, the mode of speed change ratio switching is switched between a first mode and a second mode to cause the speed change ratio to be switched by the speed change operation section differently depending on the mode. In the first mode, referred to as the "quick shift mode", the speed change ratio is switched by the speed change operation section in stages among a plurality of preset speed change ratios, as described in the specification at page 15, lines 20-27. Thus, the speed change ratio may be changed by a plurality of stages in a single operation. In the second mode, referred to as the "continuously variable shift mode", the speed change ratio is switched by the speed change operation section continuously or substantially continuously, as described in the specification at

page 15, line 29 to page 16, line 13. Thus, the speed change ratio may be changed for each individual stage, i.e., thereby requiring multiple changes in order to change the speed change ratio by a plurality of stages. By providing distinct first and second modes of speed change ratio switching, the speed change ratio of the continuous stepless transmission of the vehicle according to the present invention as recited in amended independent claim 1 can be either quickly and drastically changed (when in the first mode), or alternatively, be minutely and exactly controlled (when in the second mode).

It is respectfully submitted that the cited prior art references do not disclose a shift-mode-switching section that switches between two different modes of speed change ratio switching in which the speed change ratio is switched differently by a speed change operation section.

Miyata discloses an automatic transmission control device for a motorcycle that enables switching between a semi-automatic mode wherein switching of the speed change ratio of the stepless transmission is changed to one of a plurality of speed change ratios, and a full automatic mode wherein the speed change ratios are changed in a stepless manner. See paragraph 0053 of Miyata. It is respectfully pointed out, however, that the full automatic mode of Miyata is a typical automatic control mode for a transmission wherein the speed change ratio is automatically

changed in accordance with an operation on an accelerator. And it is respectfully submitted that the full automatic mode of Miyata therefore differs from the first mode of the claimed present invention wherein the speed change ratio is switched by the speed change operation section in stages among a plurality of preset speed change ratios. And it is respectfully pointed out that the speed change operation section is different than an accelerator because an engine of a working vehicle is often driven at the maximum engine speed and the speed change cannot be effected by operating an accelerator. Accordingly, providing both a speed change operation section and a shift-mode-switching section as according to the present invention as recited in amended independent claim 1 enables quick changing of the speed change ratio of such a working vehicle.

New independent claim 5 also recites a shift-mode-switching section that provides the first mode as described above, and thus distinguishes over Miyata for the same reasons described above with respect to amended independent claim 1.

In view of the foregoing, it is respectfully submitted that amended independent claim 1 and new independent claim 5, and claims 6-9 depending from new independent claim 5, all clearly patentably distinguish over Miyata, taken singly or in combination with Ishibashi et al, under 35 USC 102 as well as under 35 USC 103.

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708
Tel. No. (212) 319-4900
Fax No. (212) 319-5101

DH:br:dd
encs.